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The railroads, the unofficial and the official investigators have all recognized the propriety and legality of the differential. In fixing the amount thereof neither distance nor cost of rendering the service has been given determining consideration.

In reading this useful compilation and in considering the arguments presented on behalf of the several interests the question obtrudes, what effect will the governmental operation of railroads have on the issue? Now that the individual interests of the roads need not be regarded, shall the desires of commercial communities fix rates and differentials and determine how freight shall move, or shall all freight be sent to the consumer by the cheapest and quickest route? The question, although suggested by the history given, is not discussed by the compiler, and is therefore not within the purview of this review.

Edgar Watkins.

TRADING WITH THE ENEMY. By CHARLES H. HUBERICH. New York: BAKER, VOORHIS & Co., 1918, pp. xxxiii, 485.

The true basis of the prohibition Trading With the Enemy has only recently come to be recognized. Rousseau's great declaration that, "*La guerre n'est point une relation d'homme a homme, mais une relation d'Etat a Etat*", led Pinheiro-Ferreira to wonder why the doctrine should exist at all. The English and American courts likewise, for the most part, failed to perceive the essential reasons involved, up to about the middle of the nineteenth century, and upheld the rule to obviate "political danger", the risk of espionage, or betrayal through "the cupidity of corrupted avarice". It is a startling fact that even so late as 1874 Japan was allowing the export of coal to China during the course of the China-Japanese War.

However, at present the potency of economic weapons is clearly understood and the trading non-combatant is recognized as a combatant. Every great nation involved in the war has enacted into law restrictions upon trading with the enemy. The American Act was passed to supplement the common law rules in so far as these would to-day prove inadequate. In places the provisions are more stringent owing to the altered conditions of international trade; in other places, due to more enlightened views as to the position of non-combatants, the old rules have been relaxed. The Act is simply a careful attempt so to restrict American trade that American economic power can be employed most effectively as a supplement to the military program.

It is the precise legal effect of the statute which Mr. Huberich has taken up in his present timely and valuable work. After a brief general discussion of international law and of the common law doctrine of trading with the enemy, he proceeds to consider the Act phrase by phrase, almost word by word, in an attempt to elucidate its provisions. In fact, the volume is really the Trading with the Enemy Act annotated. The author has not only searched out the latest decisions of the American and English courts, but has gathered together also recent Canadian, South African, Australian, Irish and Scotch cases. The discussion is quite full and generous use is made of quotations. Even Continental and Japanese law has received consideration. The work is essentially for the practitioner, who will find therein useful discussions upon such subjects as the scope of the word "trade", the effect of war on contracts, and the status of enemy litigants. Those interested in the historical and theoretical aspects of the subject will

find in this volume an abundance of raw material; but the treatment adopted by the author in grouping the discussion about sections, and even phrases and words, of a particular act prevents any thorough analysis of the general underlying doctrines.

The appendix contains the Executive Order establishing the War Trade Board and the Trading with the Enemy Acts enacted by the United Kingdom, Canada, Australia and South Africa. It is regrettable that the annotations, which make up the real substance of the book, should have been printed in such trying type.

Louis S. Weiss.

BOOKS RECEIVED.

A MANUAL ON LAND REGISTRATION. By ARTHUR G. POWELL. Atlanta: HARRISON BOOK Co. 1917. pp. xv, 449.

GERMAN LEGISLATION FOR THE OCCUPIED TERRITORIES OF BELGIUM. Thirteenth Series. By CHARLES H. HUBERICH and A. NICOL-SPEYER. The Hague: MARTINUS NIJHOFF. 1918. pp. 544.

GERMAN LEGISLATION FOR THE OCCUPIED TERRITORIES OF BELGIUM. Index to Series VI-IX. By CHARLES H. HUBERICH and A. NICOL-SPEYER. The Hague: MARTINUS NIJHOFF. 1918. pp. 70.